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**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
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May 12, 2008

**BY HAND**

Honorable William H. Pauley III  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 2210  
New York, New York 10007

*application granted. The status conference set for May 23, 2008 is adjourned until June 23, 2008 at 3:00p.m.*

SO ORDERED:

  
WILLIAM H. PAULEY III U.S.D.J.  
5/21/2008

Re: Marcus Rasean Thompson v. Captain Artrailyes Carter, et al.  
07 Civ. 3243 (WHP)

Your Honor:

I am the Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of the above-referenced case. The Court previously granted the individually named defendants an extension until March 28, 2008 to respond to the complaint. By Order dated April 1, 2008, the Court granted defendants a second enlargement, until May 12, 2008, so that this office could review the investigations file related to plaintiff's incident, in order to determine whether the Corporation Counsel's Office could represent the individually named correction officers. This office has since reviewed this file, and we have determined that we will be unable to represent defendant Correction Officer Deishay Smallwood, Shield #14628.

In view of the foregoing, this office respectfully requests that the Court grant Officer Smallwood an additional thirty days until June 11, 2008 to answer or otherwise respond to the complaint, so that he may have an opportunity to obtain legal representation in this matter.<sup>1</sup> Plaintiff is incarcerated and proceeding *pro se*. Therefore, this application is made directly to the Court.

<sup>1</sup> An answer to the complaint is being filed today, May 12, 2008, on behalf of defendants Captain Atrailyes Carter, Captain Antoinette Cort, Officer Anselmo Farrell, Officer Fritz  
Continued...

Accordingly, it is respectfully requested that the Court grant Officer Smallwood an enlargement of time, until June 11, 2008, to submit an answer or otherwise respond to the complaint.

I thank the Court for its time and consideration of this request.

Respectfully submitted,



Amy N. Okereke  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Marcus Rasean Thompson, plaintiff pro se  
07-A-2267  
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Beacon, New York 12508 (by first class mail)

Correction Officer Deishay Smallwood, Shield #14628  
Emergency Services Unit  
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East Elmhurst, New York 11370 (by first class mail)

Koehler & Isaacs, LLP  
61 Broadway, 25<sup>th</sup> Floor  
New York, New York 10006 (by fax: (917) 551-0030)

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Montrevil, Officer Brenda Person, Officer Harmon Frierson, Officer Robert Santana, and Officer Ronald Cook.